Appendix A

Responsiveness Summary

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A.1 OVERVIEW

Operable Unit (OU) 4-12 is an OU within Waste Area Group (WAG) 4 of the Central Facilities Area (CFA) at the Idaho National Engineering Laboratory (INEL). The unit comprises CFA Landfills I, II, and III, as described in the Record of Decision (ROD) to which this Responsiveness Summary is attached. A Proposed Plan was released April 24, 1995, with a public comment period from April 26 to May 26, 1995. The preferred alternative recommended includes uniform containment of the landfills with a native soil cover, institutional controls, and monitoring. This Responsiveness Summary recaps and responds to the eight comments received during the comment period. Generally, the comments reflected a broad range of views, from strong support for the selected alternative to opposition and support for the no action alternative.

A.2 BACKGROUND ON COMMUNITY INVOLVEMENT

To initiate the CFA Landfills investigation, public information meetings were held in August 1993 in Boise, Moscow, Twin Falls, Pocatello, and Idaho Falls. The information meetings were designed to involve the public early in the investigation; explain the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process; allow representatives from DOE and INEL to discuss the project; answer both written and verbal questions; and receive ideas and suggestions from the public.

Copies of the proposed plan for the CFA landfills were mailed to about 6,700 members of the public and 650 INEL employees on the INEL Community Relations Plan mailing list on April 24, 1995 urging citizens to comment on the proposed plan and to attend public meetings. Opportunities for public involvement in the decision process for the CFA landfills were provided during the 30-day comment period from April 26 to May 26, 1995. For the public, the activities ranged from receiving the proposed plan, conducting one teleconference call, and attending open houses and public meetings to informally discuss the issues and offer verbal and written comments to the agencies during this 30-day public comment period.

Written comment forms, including a postage-paid business reply form, were made available to those attending the meetings. The forms were used to turn in written comments at the meeting, and by some, to mail in comments later. For those who did not attend the public meetings but wanted to make formal written comments, a written comment form was attached to the Proposed Plan. A total of about ten people attended the CFA landfills public meetings. Overall, eight provided formal comment; of these eight people, three provided oral comments and five provided written comments.

This Responsiveness Summary has been prepared as part of the ROD. All formal verbal comments, as given at the public meetings, and all written comments, as submitted, are repeated verbatim in the Administrative Record for the ROD. Those comments are annotated to indicate which response in the Responsiveness Summary addresses each comment. The ROD presents the preferred alternative for the CFA landfills, selected in accordance with CERCLA, as amended by the Superfund Amendments and Reauthorization Act (SARA) and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). All comments received on the proposed plan were considered during the development of this ROD. The decision for this OU is based on information contained in the Administrative Record.

A.3 SUMMARY OF COMMENTS RECEIVED DURING PUBLIC COMMENT PERIOD

Comments and questions raised during the public comment period on the CFA Landfills Proposed Plan are summarized below. The public meetings were divided into an informal question-and-answer session and a formal public comment session. The meeting format was described in published announcements and meeting attendees were reminded of the format at the beginning of each meeting. The informal question-and-answer session was designed to provide immediate responses to the public's questions and concerns. Several questions were answered during the informal question-and-answer period during the public meetings on the Proposed Plan. This Responsiveness Summary does not attempt to summarize or respond to issues and concerns raised during that part of the public meeting. However, the Administrative Record contains complete transcripts of these meetings, which contain the agencies' responses to these informal questions.

Comments received during the formal comment session of the meeting were responded to by the agencies in this Responsiveness Summary. The public was requested to provide their formal comments on the Proposed Plan either during the formal comment session of the meeting or in writing before the close of the public comment period. This Responsiveness Summary responds to those public comments that were recorded by the court reporter during the formal comment portion of the public meeting or that were submitted in writing before the close of the public comment period.

1. **Comment:** Alternative 3 seems to be the most logical choice.

   Response: Thank you for your comment. Alternative 3 is the preferred alternative by the agencies and will provide the appropriate level of protection for the public health and welfare and the environment.

2. **Comment:** There is too much time, money, and energy spent on the cleanup process to try to satisfy the anti-nukes. Most people aren't concerned until the news media gives time to the anti-nukes and continue to spread their propaganda. Left alone, it will deteriorate and cause no problems. Disturbing it stirs up more problems. I favor alternative 1.

Response: Thank you for your comment. Alternative 1 was not preferred because it does not meet the state's requirements for closing landfills such as minimizing erosion and infiltration. The preferred alternative 3 will not disturb the existing waste since the waste will be left in place and native soil from the INEL will be brought to the landfills and placed over the existing soil covers to enhance the cover thickness and regraded to minimize erosion and infiltration. Furthermore, alternative 3 uses the collective experience from other CERCLA municipal landfills to address the uncertainty associated with wastes disposed and with potential risks by implementing elements of the presumptive remedy approach (i.e., containment and monitoring to ensure effectiveness of the remedy).

3. **Comment:** With regards to Landfills I, II, and III, I would want to save money by opting for something like alternative 2, while doing as much as possible on SL-1 and BORAX-I. My main concern is protection of the groundwater and continued importation of toxic wastes into Idaho. I am also concerned for the safety and health of workers engaged in cleanup operations.

   Response: Thank you for commenting. Alternative 2 was not preferred because it does not meet the state's requirements for closing landfills such as minimizing erosion and infiltration. Alternative 2 would save money, but would not be as protective to the groundwater as alternative 3, which reduces infiltration. The remedial action will be designed to ensure that the safety and health of workers will not be compromised at any time.

4. **Comment:** Alternative 3 seems adequate.

   Response: Thank you for commenting. Alternative 3 is the preferred alternative by the agencies and will provide the appropriate level of protection for the public health and welfare and the environment.

5. **Comment:** I am very concerned with the attitude of the DOE (the agencies) and those at INEL regarding the storage of hazardous waste near the area of our State's aquifer. Even if your plans for storage are temporary (translated as 100 years or less), how can we ever be assured that your "expertise" will not lead to the contamination of the soil, water supplies, and ultimately all who are affected by the water supply running through Southern Idaho? . . . Please do not participate in contaminating Idaho with nuclear waste!

   Response: Thank you for commenting. The CFA landfills are nonradioactive waste disposal facilities that were used for the disposal of INEL municipal type waste (i.e., cafeteria garbage, trash sweepings, weeds and grass, etc.). However, some low-level radioactive waste may have been inadvertently disposed to the landfills. Alternative 3 is the preferred alternative because it will minimize potential infiltration and possible subsequent leaching to the aquifer. Periodic monitoring will monitor the effectiveness of the cover and provide for the detection of contaminants in the groundwater if migration occurs.

6. **Comment:** My comments before somewhat apply, and I've got some additional ones. The risk here seems to be again for a residential scenario, and it's beryllium, two in 10,000. Let's get the land use for these things before we go off and spend a big bunch of money.

What are we going to do? Is this thing going to be industrial? Is this going to be farming? What's it going to be, so we really know what the risk is? I heard Alan say no risk, but due to the uncertainty we're going to spend $2 million more a year plus 60k a year more, I like action No. 1, which is No Action or Alternative No. 1, which happens to be No Action if we've got models and codes that can predict what's going on and have been benchmarked and validated.

Why spend the money if we've got the confidence? If we're just trying to cover ourselves because of uncertainties so we throw in this Alternative 3 here, it doesn't seem like the right thing, and I don't believe we're protecting the public.

This has been DOE's credibility problem from day one. Let's get it down to where we got confidence in what we're doing. And if it takes computer codes that are benchmarked and validated, let's do it. My suggestion is let's get the National Academy of Sciences out here. They were out here looking at some of this stuff before.

Let's specifically have them look at some of these codes and the way we're doing things so that we've got some confidence in it. If the risk is really less than one in 10,000, then let's go with the No Action on it. There's no need to go with the Alternative 3 and spend the additional money. If it's needed and warranted, certainly we want to do it. But let's get the risk down to where we really know what it is. And my suggestion is let's get an independent reviewer in here, and perhaps the National Academy of Sciences is the way to start.

Response: Thank you for commenting. The risk assessment is based on a current worker and a potential future resident scenario. It is common practice, based on EPA guidance, to examine a potential future residential land-use scenario. We do not know at this time what actual land uses of the INEL will be in the future. Therefore, it is important to use a conservative land-use scenario, i.e., residential scenario to fully assess potential future impacts for decision-making purposes.

Alternative 1 was not the preferred alternative because it does not meet the applicable or relevant and appropriate requirements such as minimizing erosion and infiltration. Alternative 3 is the preferred alternative by the agencies and will meet the applicable or relevant and appropriate requirements and provide the appropriate level of protection for the public health and welfare and the environment.

The computer code GWSCREEN, validated and accepted by the agencies, was used during the remedial investigation of the landfills to address future groundwater concerns, as a result of potential future leaching of the source term to the groundwater, and indicated no unacceptable groundwater health risk to potential future residents. However, uncertainties in the landfill waste inventory (source term) lead to uncertainties in the modeled groundwater health risk. The Site-Specific Advisory Board provides some independent review of CERCLA investigations and cleanup at the INEL.

Due to the heterogeneous nature of the waste and incomplete inventory of waste disposal, complete characterization of the landfill contents was and is not expected. Therefore, future use of the landfills that may involve excavation of the landfill subsurface materials could

increase risks of exposure to contaminants (via inhalation, ingestion, and dermal contact) for potential future construction workers and residents.

7. **Comment:** I like the preferred alternative. I think that I'm not opposed to it in any way, shape, or form. I think it's not much different than any other waste site as far as a dump site that would be in an urban area. I think that in my opinion that the Area 1, because of the uncertainty of what was put in there, I think that there needs to be a little more work done on that particular area in those trenches. And I think that we need to be a little more -- I would like to be a little more sure what is in there is not in 50-gallon barrels decaying as we speak and that we're just closing our eyes to it.

But I think I would like to congratulate everybody on this work that has been done all night. I think all the work that has been done is really exemplary. And once again, the preferred Alternative No. 3, that's the only alternative I can see that makes sense.

The No. 4, I think that would just slow down the decay process and cause it -- and maybe that would be a question as to whether or not we'd have an erosion problem or sooner or later down the road and we would have-- for the problems 50 years from now, I think its better to let it decay in a natural way. It needs some water. I think that we need to use the flora that's indigenous to the area in case this area is abandoned for budgetary reasons. And I think that we need to have guarantees as to the native soil at least 4 to 6 inches of topsoil.

Being a horticulturist, I know that it would take at least 4 inches to establish a decent plant growth on top of it. I wouldn't ask that all 2 feet be topsoil, because that would be ludicrous, but the top 4 to 6 inches, I think we need to maintain that. That's all I want to say.

Response: Thank you for commenting. Alternative 3 is the preferred alternative by the agencies and will meet the applicable or relevant and appropriate requirements and provide the appropriate level of protection for the public health and welfare and the environment.

During the remedial investigation phase of the project, an extensive source term investigation was conducted by compiling and reviewing available waste disposal records, documents, databases, and process knowledge, and by conducting interviews with personnel knowledgeable in CFA landfill operations to determine the waste types and volume disposed to the landfills. It was not common practice to dispose of 55-gallon drums full of oil or any liquid in the landfills. Drums disposed to the landfill were typically empty, or if liquid was present, it was absorbed onto diatomaceous earth or rags. In some instances, waste oil was disposed to the landfill directly by dumping it over the solid waste and mixing with a layer of soil. In some instances, the oil was used to burn paper wastes in trenches. The use of the incinerator at Landfill I to burn waste, coupled with the open burning of wastes in the trenches, would have greatly reduced the volume and the potentially hazardous components present in waste oil or solvents.

Experience from other CERCLA municipal landfills shows that it is more cost-effective to implement the presumptive remedy of containment because it is impossible to fully characterize the landfill contents. Periodic environmental monitoring will monitor the

effectiveness of the cover and provide for the detection of contaminants in the groundwater if migration occurs.

The remedial design of the cover will allow for 6 inches of topsoil to ensure the establishment of a vegetative top layer.

8. **Comment:** I might suggest that you try some kind of meeting in the Twin Falls area because of the huge amount of interest there is in that area about the groundwater. It might be good to have one more in that southern part of the state.

Response: Thank you for your suggestion. In the past, the agencies have had informal briefing meetings in Twin Falls. The feedback from the residents of this area who attended past meetings is that they don't want any more meetings. Public relations representatives were also available for an afternoon at the public library to answer any questions the public had concerning the project. Due to the lack of interest from the public in this area and budget cuts, a public meeting was not scheduled for the Twin Falls area. However, public meetings may be held in the future in the Twin Falls area, as has been done in the past.

Appendix B

Public Comment/Response List Index

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The Public Comment/Response List (Table B-1) was created to enable commenters and other interested persons to locate the agencies' responses to individual public comments. Each comment had been assigned a comment code. The codes indicate whether the comment was either written (W code) or taken from the public meeting transcript (T code). Five people submitted written comments (comments W1-W5) and three others gave oral comments at the public meetings (comments T1-T3). Copies of oral and written comments annotated with their respective comment codes are located in the Administrative Record.

To locate a response to a specific individual's comments, look up the last name of the individual, then turn to the response number or page indicated in the Responsiveness Summary (Appendix A). If, after reviewing the annotated comments in the administrative record, you wish to locate a response to a specific comment, you can use the comment code to locate a response as well. Identify the comment code in the index, look up the page number of the response, then turn to that page of the Responsiveness Summary.

Table B-1. Public comments received on the CFA landfills during the April 26 through May 26, 1995 comment period.

Comment code	Response number	Commenter	Page number for response
W-1	5	Jim Sommer	A-5
W-2	1	D. R. Mix	A-4
W-3	2	Dorothy Strait	A-4
W-4	4	Albert Taylor	A-5
W-5	3	George Lukes	A-5
T-1	6	Robert Wadkins	A-5
T-2	7	Bruce Allen	A-7
T-3	8	Twila Hornbeck	A-8